

Remarks

Allowable Subject Matter

Claims 4-7, and 9 would be allowable if rewritten to overcome the “112” rejections and include the limitations of the base claim and intervening claims. The claims have been amended to overcome the “112” rejections. It should be noted that there were no “112” rejections set forth in the Office Action. Claims 1 and 2 have been combined, and claim 2 has been cancelled. All claims previously depending from claim 2 have been amended to depend from claim 1. Therefore, claims 3, 4, 5 and 6 now depend from claim 1.

Applicant respectfully believes this should make the claims allowable.

Rejections Under 35 USC 102

Claims 1-3, 8 and 10 are rejected under 35 USC 102 as being clearly anticipated by Schlecht.

Valid rejection under 35 USC 102 requires that each feature of a rejected claim be disclosed in a single reference. “For anticipation under 35 USC 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present.” MPEP 706.02(a)

Applicant respectfully believes that there is no support for the Examiner’s claim rejection. The arguments mentioned for the rejection are not based upon the technical features disclosed by Schlecht.

The Office Action argues that a bearing bore 48 of a holder 49 (column 5, line 10) is a rail and the bearing journal 47 (column 5, line 8) is a guide device. Therefore, the

guide device is displaceable in a guide member 48 in a direction parallel with the pulling direction of the blind “since the blind can be pulled out in a horizontal direction.”

Applicant respectfully notes that this is not disclosed by Schlecht. In column 5, lines 6 to 15, a bearing journal is described that is seated in a bearing bore of a holder. In this way, the two wind-up shafts 25 and 26 can (only) rotate limited in respect to the axis defined by the bearing journal 47. Schlecht’s description does not disclose that the bearing journal 47 might have an additional function than a rotation as described by the Examiner.

Therefore, in column 5, line 11 to 13, it is clearly described that the two wind up shafts 25 and 26 can rotate limited in respect to the axis defined by the bearing journal 21. There is nothing mentioned that a horizontal direction movement is provided.

This is also not in the sense of the invention by Schlecht because if such an additional horizontal movement would be allowed by Schlecht, the blind could not be pulled out freely with respect to the guide grooves 19, 21 which are located parallel next to each other. This will be obvious by looking at Figure 5. If the rear element 44 carrying the two wind up shafts 25 and 26 would be movable as discussed in the Office Action, they would be blocked in one direction by the vertical part of the holder 49, and in the other direction, the bearing journal 47 would get free of bearing bore 48 of the holder 49 that results in a non-guidance.

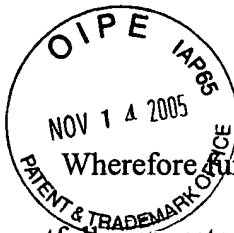
If, however, the Examiner would not be convinced about these arguments, the objections are also not persuasive in respect to the wording of the present claim 1. There it is clearly pointed out that the mounting arrangement has, in a region of each spring mean, a respective movable bearing for a movable mounting in a direction substantially

parallel to a pulling direction of the blind for movable mounting of the respective winding shaft end. This means that the pulling direction of the blind is substantially parallel to the movable direction of the spring means respective of the movable bearings. Insofar, even if the Examiner's objection is imputed to be correct, Schlecht does not disclose any proposal for a man skilled in the art to provide a roller blind according to the invention. Shlecht does not disclose a spring means that will act substantially parallel to the pulling direction of the blind.

With regard to claim 2, claim 2 (now combined with claim 1) describes that on each end of the winding shaft is provided a movable bearing comprising a retaining element and a guide device. Each guide device is displaceable engaged with a guide member arrangeable stationary of the motor vehicle. This guide device is also movable substantially parallel to the pulling direction of the blind. This means that each guide is movable substantially parallel to the pulling direction. Shlecht, however, only shows one single guide device that is positioned in the middle of the winding shaft to carry the winding shaft that is pivotally rotatable about this pin 47 or bearing journal that is fixed in the bore 48 of the holder 49.

Therefore, the device according to Shlecht has a function like a balancing arrangement or whip. However, this invention is an arrangement that is movable up and down substantially parallel with the movable bearings, and also in the same direction, and not in contrary direction, as it is in the case of the whip.

Applicant respectfully believes that the current claims are allowable, and claim 1 is new and inventive over Schlecht.



Response Under 37 CFR 1.116
Expedited Procedure
Examining Group 3634

Wherefore further consideration and allowance of the application as amended is respectfully requested.

A two-month extension of time in which to respond to the outstanding Office Action is hereby requested. Credit Card Payment Form PTO-2038 is enclosed to cover the prescribed Small Entity one-month extension fee of \$225.00.

Respectfully submitted,

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 9, 2005.

M. Robert Kestenbaum